

**MINUTES OF THE COMMON COUNCIL
WORK SESSION**

May 27, 2014

Exhibit Hall – Rouss City Hall

PRESENT: President John Willingham; Councilor Jeff Buettner, Evan Clark, John Hill, Corey Sullivan and John Tagnesi; Vice-President Milt McInturff; Mayor Elizabeth Minor; Vice-Mayor Les Veach (9)

ABSENT: None (0)

President Willingham called the meeting to order at 6:00 p.m.

2.0 Public Comments: (Each person will be allowed 3 minutes to address Council with a maximum of 10 minutes allowed for everyone)

President Willingham asked if there was anyone wishing to address Council. Seeing none, he closed the public comments at 6:01 p.m.

3.0 Items for Discussion:

3.1. R-2014-26: Resolution – Adoption of the VRS Employer Contribution Certified Rate of 11.90% for the City and 8.72% for the City Schools

Mary Blowe, Finance Director, presented the resolutions for the City and Schools to adopt the certified VRS rate for the retirement system.

Councilor Buettner moved to forward R-2014-26 to Council. *The motion was seconded by Councilor Tagnesi then unanimously approved 9/0.*

3.2 CU-14-230: Conditional Use Permit – Request of Greenway Engineering on behalf of the Winchester SPCA for animal shelter use at 111 Featherbed Lane (Map Number 252-01-31A) zoned Commercial Industrial (CM-1) District (Allows converting a former print shop building to a pet adoption center)

Aaron Grisdale, Director of Zoning and Inspections, presented the request for an animal shelter use in a former print shop building located at 111 Featherbed Lane. The SPCA will use this building for animal adoptions and their current building for animal take in.

Councilor Buettner moved to forward CU-14-230 to Council. *The motion was seconded by Mayor Minor then unanimously approved 9/0.*

3.3 O-2014-22: AN ORDINANCE AMENDING SECTIONS 6-5 AND 6-6 OF THE WINCHESTER LAND SUBDIVISION ORDINANCE PERTAINING TO APPROVAL OF MINOR SUBDIVISIONS **SA-14-199** (*The amendment eases restrictions on approving subdivisions administratively and ensures compliance with State Code on recording plats*)

Tim Youmans, Director of Planning, presented the amendment to the subdivision ordinance to bring it into compliance with State Code and to reduce the restrictions on administrative approvals for minor subdivisions.

Councilor Buettner moved to forward O-2014-22 to Council. *The motion was seconded by Councilor Tagnesi then unanimously approved 9/0.*

3.4 CU-14-212: Conditional Use Permit – Request of Braveger Enterprises, LLC for conversion of ground floor nonresidential use to residential use at 910 South Braddock Street (*Map Number 212-01-H-6*) zoned Central Business (B-1) District (*Allows for converting a former personal service establishment to an apartment*)

Mr. Youmans presented the request to convert a ground floor non-residential unit to a residential unit. The unit was originally a residential unit before being used as a barber/beauty shop. The Planning Commission forwarded this with a favorable recommendation.

Councilor Clark moved to forward CU-14-212 to Council. The motion was seconded by Councilor Hill.

Councilor Veach asked what the parking requirements would be. Mr. Youmans stated there is some curbside parking along south Braddock Street but there is not rear access to the property. The conversion to residential reduces the off-street parking requirements.

Vice-President McInturff moved to table CU-14-212 for 60 days. The motion was seconded by Councilor Clark then denied 5/4 with Mayor Minor and Councilors Buettner, Hill, Sullivan and Tagnesi voting in the negative.

Councilor Clark's motion to forward CU-14-212 was unanimously approved 9/0.

3.5 CU-14-267: Conditional Use Permit – Request of Eugene F. Dearing, III for extended stay lodging at 126 North Braddock St (*Map Number 173-01-F-5*) zoned Central Business (B-1) District with Historic Winchester (HW) District overlay (*Allows converting a former dental office and apartment building into 4 extended stay lodging units*)

Mr. Youmans presented the request for 4 extended stay lodging units in a current mixed use building. The location is exempt from off street parking but the applicant is willing to secure 2 parking places in the Braddock Street Auto Park or the across the street. The applicant will provide weekly maid service and is aware of the limitations to the extended stay lodging as compared to general by-right multi-family use.

Vice-Mayor Veach asked if the two parking spaces were for all four units. Mr. Youmans stated that is correct. The other three units are grandfathered in so there is no change in the parking requirement and it is all parking exempt. The applicant is providing parking to comply with the definition of extended stay lodging so there are parking spaces conveniently located to each unit.

Vice-President McInturff asked what is defines extended stay. Mr. Youmans stated the units will have weekly maid service and are fully furnished so it is catered to the business traveler.

Vice-President McInturff asked what the typical clientele is. Mr. Youmans stated the clientele are usually professionals working in the area temporarily or who are in the process of relocating here.

Councilor Buettner asked the City Attorney if Council could change condition 2 and require 4 parking spaces instead of 2 spaces. City Attorney Anthony Williams stated a suggestion could be made to increase the number of spaces but Council could not demand it be done.

Vice-Mayor Veach asked what the risks are of having someone stay longer with school aged students. Mr. Youmans stated most of the clientele who are relocating are living in extended stay lodging while the rest of the family is finishing out the school year at their current home. Most of what staff has seen has been individuals using these units.

Councilor Tagnesi moved to forward CU-14-267 to Council. The motion was seconded by Councilor Hill.

Councilor Sullivan moved to table CU-14-267 with the direction that Council would like to see more parking. *The motion was seconded by Vice-Mayor Veach then approved 7/2 with Councilors Hill and Tagnesi voting in the negative.*

3.6 O-2014-23: AN ORDINANCE TO REZONE 1.442 ACRES OF LAND AT 150 COMMERCIAL STREET (Map Number 153-01-J-3) FROM HIGHWAY COMMERCIAL (B-2) DISTRICT TO COMMERCIAL INDUSTRIAL (CM-1) DISTRICT **RZ-14-193 (Allow light industrial uses not otherwise allowed under B-2 zoning)**

Mr. Youmans presented the request to rezone the property at 150 Commercial Street to allow lighter commercial uses in the building.

Councilor Hill moved to forward O-2014-23 to Council. *The motion was seconded then unanimously approved 9/0.*

3.8 O-2014-24: AN ORDINANCE TO REZONE 2.57 ACRES OF LAND AT 1570 COMMERCE STREET (Map Number 252-01-2) FROM COMMERCIAL INDUSTRIAL (CM-1) DISTRICT TO MEDIUM DENSITY RESIDENTIAL (MR) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) DISTRICT OVERLAY RZ-14-35 (Allows a 26 three-bedroom townhouse units on primarily vacant industrial property)

Mr. Youmans presented the ordinance to allow townhomes on a 2.5 acre parcel at 1570 Commerce Street. The applicant is proposing 9 units in each of the three buildings with possible garages in the back of each unit. The applicant would like the flexibility to have 3 bedroom units and for the townhomes to be 16 foot wide. The Planning Commission voted 4/2 in support of this request.

Councilor Buettner expressed his concerns that the applicant does not seem to be targeting the young professionals or empty nesters; the project does not have the amenities available like other projects; the number of school age children that are possible; and the possibility of it being a cheaper project with the 16 foot width. For those reasons, he motioned to forward O-2014-24 for denial. The motion was seconded by Vice-Mayor Veatch.

Councilor Clark stated he is concerned about the parking and the lack of a floorplan.

Vice-President McInturff asked how someone can be so non-transparent on a project like this. Mr. Youmans stated staff and the Planning Commission have asked for the past 4-5 months for the information but the applicant wants to remain flexible to allow the developer to have input.

Councilor Buettner's motion was unanimously approved 9/0.

4.0 Boards & Commissions Liaison Update

4.1 Old Town Development Board

Jennifer Bell, Downtown Manager, presented an update on the OTDB activities. She stated the first event of the year, Kids Fest, was held on May 17th which included a lot of art, sports and other activities. The Friday Night Live events will be returning on June 20th along with other successful events from last year. Currently, the board is working on the special event policy focusing on the event goals, fees, and standards. She stated one of the current concerns is patio seating at restaurants. The fire chief brought in several different trucks

showing where the tight spaces are to help determine space requirements going forward. Another concern is the proposed 1% increase in meals tax that may impact the restaurants negatively. The current improvements to the mall include the artscape banners, hanging flower baskets, and the American flags. She stated the property owners are being encouraged to apply for the Old Town Façade Grant program to help improve their buildings. The new branding campaign is being rolled out with the new logos and color schemes. She announced next year will be the 30th anniversary of the Winchester Main Street program. She stated improvements are needed on the way finding signs to make it easier for people to find the welcome center. She would like to put up an A-frame sign and have art displays in the center to help draw people in.

5.0 Executive Session

5.1 MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 2.2-3711(A)(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING THE SUBJECT OF SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION AND PURSUANT TO §2.2-3711(A) (1) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION AND CONSIDERATION OF INFORMATION REGARDING THE SUBJECT OF THE EMPLOYMENT, ASSIGNMENT, APPOINTMENT, AND PERFORMANCE OF SPECIFIC PUBLIC OFFICERS APPOINTEES, AND EMPLOYEES OF THE CITY OF WINCHESTER INCLUDING THE APPOINTMENT OF OR PROSPECTIVE APPOINTMENT OF MEMBERS TO CERTAIN BOARDS AND COMMISSIONS.

Vice-President McInturff moved to convene into executive session at 7:27 p.m. *The motion was seconded by Vice-Mayor Veach then unanimously approved 9/o.*

Vice-President McInturff moved to reconvene in open session at 8:49 p.m. *The motion was seconded by Vice-Mayor Veach then unanimously approved 9/o.*

Upon returning, each member certified that only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of Information Act were discussed during the closed meeting, and that only those public business matters identified in the motion which convened the closed meeting were heard, discussed, or considered during the closed meeting.

A roll call vote was taken, the ayes and nays being recorded as shown below:

MEMBER
Councilor Buettner

VOTE
Aye

Councilor Clark	Aye
Councilor Hill	Aye
Vice-President McInturff	Aye
Mayor Minor	Aye
Councilor Sullivan	Aye
John Tagnesi	Aye
Vice-Mayor Veach	Aye
President Willingham	Aye

6.0 Monthly Reports

6.1 Police Department

7.0 Adjourn

Vice-President McInturff moved to adjourn the meeting at 8:50 p.m. *The motion was seconded by Councilor Tagnesi then unanimously approved 9/0.*